

अण्डमान तथा

Andaman And



निकोबार राजपत्र

Nicobar Gazette

सत्यमेव जयते

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No. 97, Port Blair, Thursday, July 23, 2009

अण्डमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION

सचिवालय/SECRETARIAT

NOTIFICATION

Port Blair, dated the 23rd July, 2009

No. 91/2009/ F.No. 6-43/ANREGS/2009/PR.—In exercise of the powers conferred by Sub-Section (1) of Section 4 of National Rural Employment Guarantee Act, 2005, read with Notification No. S.O. 934 (E) dated 24.4.2008, Lt. Governor, A & N Islands hereby makes the following amendments in the Andaman & Nicobar Rural Employment Guarantee Scheme notified vide Notification No. 60 dated 15th May, 2008.

- 1) Para 1.3.3 (c) of Chapter – I shall be substituted as follows:

Administrative expenses towards salary of the officials appointed at State level under NREGA.

- 2) Provisions given in paras 1.2.2 (a), 4.3.1, 5.3.1 (v), 8.1, 8.4 and 8.6 of A & N Rural Employment Guarantee Scheme shall be as per the amendments made in the Schedule I & II of NREG Act by the Ministry vide Notification No. S.O. 3000 (E) dated 31.12.2008, S.O. 1489 (E) dated 18.06.2008, S.O. 323 (E) dated 06.03.2007, S.O. 2999 (E) dated 31.12.2008, S.O. 324(E) dated 06.03.2007, S.O. 802 (E) dated 02.04.2008 and S.O. 2188 (E) dated 11.09.2008 and attached to this notification as annexures. (7 Nos.)

By order and in the name of Lt. Governor,
Andaman and Nicobar Islands.

Sd/-

(**Sasikala Viswanathan**)

Joint Secretary (RD)

(F.No. 6-43/ANREGS/2009/PR)

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 31st December, 2008

No. S.O. 3000 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government, on being satisfied that it is necessary and expedient so to do, hereby makes the following further amendments Schedule I to the said Act, namely:-

In the said Schedule, Paragraphs 3, 13 and 16 shall be substituted as under:

3. The works taken up under the scheme shall be in rural areas and shall be subject to the following:

- (a) A unique identity number shall be given to each work.
- (b) All work must be executed by the workers who have job cards and who have demanded work.
- (c) No person below the age of 18 shall be permitted to work under NREGA projects.
- (d) Each muster roll shall have a unique identity number and be certified by the Programme Officer. The format of the muster roll will be as specified by the Government of India.
- (e) Muster Rolls duly signed by Programme Officer and properly numbered shall be maintained on the worksite. Any muster roll not signed by the Programme Officer and properly numbered will be treated as unauthorized and shall not be maintained at the worksite.
- (f) The workers will countersign their attendance and the amount of wages earned on the muster roll at the worksite.
- (g) A detailed record of muster rolls will be maintained in the registers as prescribed by the Government of India from time to time.
- (h) When a work is in progress, the workers engaged in that work will select from among themselves not less than five workers on a weekly rotational basis to verify and certify all the bills/vouchers of their worksite at least once a week.
- (i) A copy of the sanction/work order must be available for public inspection at the worksite.
- (j) Measurement of work will be recorded in the Measurement Books maintained by qualified technical personnel in charge of the worksite.
- (k) A Citizen's Information Board must be put up at every worksite and updated regularly in the manner prescribed by the Government of India.
- (l) Any person must be able to access muster rolls on demand on the worksite for all days during all working hours.
- (m) The Vigilance and Monitoring Committee set up according to the Instructions of the Government of India will check all works and its evaluation report will be recorded in

13. Every scheme shall contain adequate provisions for ensuring transparency and accountability at all levels of implementation as stated below:

(a) Proactive Disclosure

(i) At the worksite proactive disclosure shall be through display of information through Citizen Information Boards, reading out of muster rolls information regarding attendance, work done and wages paid in the presence of workers at the end of the day by the person authorized. The measurements in the Measurement Book will also be read out during the measurement of works before the workers.

(ii) At the Gram Panchayat and Block Programme Office proactive disclosure shall be through display of information on boards and shall include at least information pertaining to provision of employment, funds received and expenditure, shelf of projects approved.

(iii) All information on NREGA will be placed in public domain through the website for NREGA as prescribed by the Government of India and be available through free downloadable electronic form.

(b) Social Audit

(i) The Social Audit shall be held at least once in every six months.

(ii) An announcement of the Social Audit will be made by the District Programme Co-ordinator or the Programme Officer at least thirty days in advance.

(iii) For each Social Audit by the Gram Sabha, the Gram Sabha will elect from itself a Social Audit Committee of workers who have worked in current/previous works under NREGA of the same Gram Panchayats and not less than one third members of Social Audit Committee shall be women.

(iv) The Programme Officer shall ensure that all relevant documents, including complete files of the workers or copies of them, of works of Implementing Agencies for the jurisdiction of that Gram Panchayat shall be available for inspection at the Gram Panchayat.

(v) The Gram Panchayat shall present all necessary information and documents atleast 15 days in advance to the Social Audit Committee.

(vi) The Social Audit Committee will verify all documents and information. Any person may submit any information to the Social Audit Committee deemed relevant.

(vii) The Programme Officer shall notify in writing all the Public Representatives and also concerned staff implementing the NREGA well in advance to ensure that they are kept informed about the process and are present at the Social Audit.

(viii) The Social Audit Committee shall read out its findings publicly in the Gram Sabha and people shall be given an opportunity to seek and obtain information from the Gram Panchayat and the officials concerned and verify records.

(ix) The Action Taken Report relating to the previous Social Audit shall be read out at the beginning of each Social Audit.

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(x) The Minutes shall be recorded by Secretary and signed before and after the completion of the Social Audit by all participants. Any dissent/objections shall be addressed and recorded in the minutes.

(xi) The Social Audit shall be open to public participation. Any outside individual person apart from the Gram Sabha shall be allowed to the Social Audit as observers without intervening on proceedings of the Social Audit.

(xii) All Action Taken Reports shall be filed within a month of convening of the Social Audit.

(xiii) All findings related to Contravention of the Act shall be treated as complaint and enquiry shall be conducted for any dispute in findings.

(xiv) Any Fund Deviations shall follow with an Action against the concerned person and fund recovery shall be expedited.

(xv) While certifying accounts of the NREGS the Government Auditor shall take cognizance of any complaint, regarding financial irregularities or misappropriation, raised through a Social Audit before certifying the accounts.

16. All accounts and records relating to the Scheme shall be made available for public scrutiny free of cost. Any person desirous of obtaining a copy or relevant extracts therefrom may be provided such copies or extracts on demand not later than three working days from the time of application and after paying such fee as may be specified in the Scheme.

NOTE: Schedule I to the National Rural Employment Guarantee Act, 2005 (42 of 2005) has been amended vide following Notification numbers:

1. S.O.323 (E) dated 6th March, 2007.
2. S.O 1489 (E) dated 18th June, 2008.

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 18th June, 2008

No. S.O. 1489 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government, on being satisfied that it is necessary and expedient so to do, hereby makes the following further amendments in Schedule I to the said Act, namely:-

2. In the said Schedule, Paragraph I, under sub paragraph (iv) the following proviso shall be added, namely:-

- (i) "Provided that the following conditions are fulfilled, namely:-

(a) the individual land owner shall be a job card holder and also work in the project;

(b) for each such project, the labour material ratio of 60:40 shall be maintained at the Gram Panchayat level;

(c) projects shall be approved by the Gram Sabha and the Gram Panchayat and shall be part of the annual shelf of projects;

(d) no contractors of machinery shall be used in the execution of work; and

(e) no machinery shall be purchased".

NOTE: Schedule I to the National Rural Employment Guarantee Act, 2005 has been amended vide No. S.O. 323 (E) dated the 6th March, 2007.

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 6th March, 2007

No. S.O. 323 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), and being satisfied that the necessary and expedient to amend Schedule -I of the Act, the Central Government hereby makes the following Amendments to Schedule-I of the Act, namely:-

1. (1) It may be called the National Rural Employment Guarantee Act, Schedule I Amendment Order 2007.

(2) It shall come into force on the date of publication in the Official Gazette.

2. In Schedule I to the National Rural Employment Guarantee Act, 2005 (hereinafter matter referred to as Schedule I) before paragraph 1 the following paragraph shall be inserted, namely

"1 A The Scheme notified under section 4 by all the States shall be called "National Rural Employment Guarantee Scheme" followed by the name of relevant State. All documents pertaining to National Rural Employment Guarantee Act must have mention National Rural Employment Guarantee Scheme (NREGS)".

3. In Schedule I, in paragraph I, for sub paragraph (IV), the following sub paragraphs shall be substituted, namely:

"(iv) Provision of irrigation facility, horticulture plantation, land development facilities on land owned by households belonging to the Scheduled Castes and the Scheduled Tribes or to Below Poverty Line families or to beneficiaries of land reform or to the beneficiaries under the Indira Awas Yojna of the Government of India."

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

S.O. 2999 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government, on being satisfied that it is necessary and expedient so to do, hereby makes the following further Amendments in Schedule-II to the said Act, namely:-

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2. In the said Schedule , after paragraph 35, the following paragraph shall be added, namely:

“36 The complaints received, taken cognizance of suo moto and as otherwise provided under the Act or Schedule therein shall be dealt as prescribed below:-

- a) The Programme Officer shall enter every complaint in a complaint register maintained by him and dated and numbered acknowledgement shall be issued.
- b) Enquiry through spot verification, inspection and disposal shall be completed within 7 working days.
- c) Complaints that fall within the jurisdiction of the Programme Officer, including any complaints concerning the implementation of the Act by a Gram Panchayat shall be disposed of by the Programme Officer within 7 days, as prescribed under Section 23(6) of the Act. In case a complaint relates to a matter to be resolved by any other authority, the Programme Officer shall conduct a preliminary enquiry and refer the matter to such authority within 7 days under intimation to the complainant.
- d) Failure to dispose of a complaint in 7 days will be considered a contravention of the Act by the Programme Officer, punishable under Section 25. Complaints against such failure will be lodged with the District Programme Co-ordinator.
- e) In case of a prima facie evidence regarding financial irregularities the District Programme Co-ordinator will ensure that a First Information Report is filed.
- f) State Government/District Programme Co-ordinator/Programme Officer or any other authority authorized by the State Government may inquire into any complaint on its own will or through reference and establishment of guilt will impose the penalty against the concerned guilty under Section 25 of the Act.
- g) In case the concerned authority finds violation of entitlements, it will be responsible for informing and redressing the person/party aggrieved. The concerned authority will be responsible for such grievance redressal with a week and not later than 15 days.
- h) The action taken shall be informed to the complainant and disclosed in two vernacular newspapers in a prescribed format once a quarter.
- i) The action taken on the complaints received by the Programme Officer and the District Programme Co-ordinator shall be placed before the meetings of the Intermediate Panchayat and the District Panchayat respectively.
- j) Appeals against the orders of the Gram Panchayat shall be made to the Programme Officer; those against the orders of the Programme Officer shall be made to District Programme Co-ordinator; those against the District Programme Co-ordinator shall be made to State Commissioner (NREGS), Divisional Commissioner (NREGS) and State Grievance Redressal Officer.
- k) All Appeals shall be made within 45 days of the order issued.

I) All Appeals shall be disposed off within one month.

NOTE: Schedule II to the National Rural Employment Guarantee Act, 2005 (42 of 2005) has been amended vide following Notification numbers:-

1. S.O. 324 (E), dated 6th March, 2007.
2. S.O. 802 (E), dated 2nd April, 2008.
3. S.O. 2188 (E), dated 11th September, 2008.

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 6th March, 2007

No. S.O. 324 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), and being satisfied that it is necessary and expedient to amend Schedule -II of the Act, the Central Government hereby makes the following Amendments of Schedule-II of the Act, namely:-

1. (i) It may be called the National Rural Employment Guarantee Act, Schedule II Amendment Order, 2007.

(ii) It shall come into force on the date of publication in the Official Gazette.

2. In Schedule II to the National Rural Employment Guarantee Act, 2005 for paragraph 13 the following paragraph shall be substituted, namely:

“13. A new work under the schemes can be commenced if atleast ten labourers become available for work.”

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 2nd April, 2008

No. S.O. 802 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government on being satisfied that it is necessary and expedient so to do hereby makes the following further Amendments the Schedule-II to the said Act, namely:—

2. In the said Schedule for paragraph 2, the following paragraph shall be substituted, namely:-

“2 (1) It shall be the duty of Gram Panchayat to register the household after making such enquiry as it deems fit and issue a Job Card containing the following essential details of registered adult members of the household namely:-

- (i) job card number.
- (ii) household member-wise work demand and allocation.

- (iii) description of the work done.
- (iv) dates and days worked.
- (v) muster roll numbers by which wages have been paid.
- (vi) amount of wages paid.
- (vii) unemployment allowance, if any paid.
- (viii) postal account/bank account number.
- (ix) insurance policy number, and
- (x) elector's photo identity card number voters identity, if any.

(2) All entries in the job card shall be duly authenticated by signature of an authorized officer.

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- (3) The Job Card issued under sub-paragraph (1) shall bear the photographs of only the registered adult members of the households to whom the Job Card has been issued.
- (4) No photograph name of details of any person other than that of the registered adult members of the household to whom that Job card belongs shall be affixed or recorded in the Job Card.
- (5) All Job Card shall be in the custody of the Job Cards holders to whom they belongs.

NOTE:-Schedule II to the National Rural Employment Guarantee Act, 2005 (42 of 2005) has been amended vide following Notification numbers:-

1. S.O. 324 (E), dated 6th March, 2007.

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 11th September, 2008

No. S.O. 2188 (E).—In exercise of the powers conferred by Sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government on being satisfied that it is necessary and expedient so to do hereby makes the following further Amendments in Schedule-II to the said Act, namely:—

2. In the said Schedule after paragraph 34, the following paragraph shall be added, namely:-

“35 (1) Notwithstanding anything contained in paragraphs 1,3,9 and 14 of Schedule II of National Rural Employment Guarantee Act, 2005 in the event of national calamities in the nature of flood, cyclone, tsunami and earthquake resolution into mass dislocation of rural population the adult members of rural households of the areas so affected may—

- (i) seek for registration and get job card issued by Gram Panchayat or Programme Officer in the area of temporary relocation;
- (ii) submit written or oral applications for work to the Programme Officer or the Gram Panchayat of the temporary relocation; and
- (iii) apply for re-registration and re-issuance of job card in the event of loss or destruction.

- (2) In the event of restoration of normalcy, the job card so issued shall be re-endorsed at original place of habitation and shall be clubbed with the original job card on being retrieved.
- (3) The number of days of employment so provided shall be counted while computing 100 days of guaranteed employment per household."

NOTE:- Schedule II to the National Rural Employment Guarantee Act, 2005 (42 of 2005) has been amended vide following Notification numbers:

1. S.O.324 (E), dated 6th March, 2007.
2. S.O. 802 (E) dated 2nd April, 2008.

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